

**Marie-Ann Greenberg, MAG-1284**

**Marie-Ann Greenberg, Standing Trustee**

**30 TWO BRIDGES ROAD**

**SUITE 330**

**FAIRFIELD, NJ 07004-1550**

**973-227-2840**

**Chapter 13 Standing Trustee**

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

IN RE:

JOSEPH A. FANTASIA

**Case No.: 17-29009RG**

**HEARING DATE: 12/06/2017**

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**TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN**

Marie-Ann Greenberg, the Chapter 13 Standing Trustee by way of objection to the Debtor's proposed plan respectfully objects as follows:

- The Debtor has failed to provide or has provided a deficient valuation of the Debtor's property to the Standing Trustee, and is not cooperating with the Trustee in violation of 11 U.S.C. Section 521(a)(3).
  - The plan does not appear to be feasible pursuant to 11 U.S.C. Section 1325(a)(6), as the debtor will be unable to make payments under the plan and to comply with the plan.
  - The Debtor's Projected Disposable Income has not been pledged for the entire Applicable Commitment Period in violation of 11 U.S.C. Section 1325(b)(1)(B).
    - Specifically, budget surplus is \$4281 and plan payment only \$100.00
- The Debtor has failed to make all pre-confirmation required payments to the Standing Trustee pursuant to 11 U.S.C. Section 1326.
  - Specifically, first due October 1.
- Debtor has failed to provide proof of income.
  - The debtor has failed to provide proof of income for the six months preceding the filing of this case.
- Co-debtor / non filing spouse has failed to provide proof of income.
  - Specifically,
  - Failed to provide proof of income for the six months preceding the filing of this case.
- Debtor(s) failed to meet the requirements of 521(e)(2)(A)(i), in that the debtor(s) failed to produce a copy of the most recently filed pre-petition tax return or transcript thereof.
- Debtor(s):
  - Failed to appear at the scheduled 341A Meeting of Creditors hearing on 10/31/2017.
  - Failed to make payments to the Standing Trustee as of 11/2/2017.

- The automatic stay has elapsed in this case, specifically:  
11 USC §362(c)(3)(A) – this is the debtor's second filing within one year and 30 days have now passed without a Motion to Extend Stay being filed.

WHEREFORE, Marie-Ann Greenberg, the Chapter 13 Standing Trustee prays that confirmation of the Debtor's Chapter 13 plan in its present form be denied and the case be dismissed.

Dated: November 02, 2017

By: /S/Marie-Ann Greenberg  
Marie-Ann Greenberg, Esquire  
Chapter 13 Standing Trustee